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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/675,155 | 09/29/2000 | Elizabeth Ann Murphy | 19046.0001 | 3336 |

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| EXAMINER |
|---|
| SOTOMAYOR, JOHN |

| ART UNIT | PAPER NUMBER |
|---|---|
| 3714 | |

DATE MAILED: 04/26/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

| | Application No. | Applicant(s) |
|---|---|---|
| **Office Action Summary** | 09/675,155 | MURPHY ET AL. |
| | **Examiner** | **Art Unit** |
| | John L Sotomayor | 3714 |

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) ☒ Responsive to communication(s) filed on _29 September 2000_ .

2a) ☐ This action is **FINAL**.     2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4) ☒ Claim(s) _1-57_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _1-57_ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____ .

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _2_ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

## *Claim Objections*

1.      Claims 3, 22, and 41 are objected to because of the following informalities:  The word

"associated" is grammatically incorrect in the claim.  Appropriate correction is required.

2.      Claims 4, 5, 24, and 43 are objected to because of the following informalities:  the phrase

"on the recorded the compliance" contains too many occurances of the word "the".  Appropriate

correction is required.


## *Claim Rejections - 35 USC § 112*

3.      The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the
> subject matter which the applicant regards as his invention.

4.      Claims 8 and 27 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite

for failing to particularly point out and distinctly claim the subject matter which applicant

regards as the invention.  The applicant describes a method step in which "storing includes

obtaining administration instruction from the administrator".  This claim is dependent upon

earlier claims in which administration instructions is obtained and documents are stored,

rendering the meaning of claim 8 unclear.

5.      Claim 46 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for

failing to particularly point out and distinctly claim the subject matter which applicant regards as

the invention.  Claim 46 recites "wherein the storing includes the computer for providing

administration instructions".  The meaning of this claim is unclear rendering confusion about the

claim.  Please clarify the computer's role in this claim.

## *Claim Rejections - 35 USC § 102*

6.    The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

7.    The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999

(AIPA) do not apply to the examination of this application as the application being examined

was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C.

122(b).  Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment

by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

8.    Claims 1-57 are rejected under 35 U.S.C. 102(e) as being anticipated by Linton (US

Patent 6,282,404). The examiner finds support in the specification for the definition of

"compliance knowledge" as data stored in a computer database pertaining to employee training

and licensing for performance of their normal duties.

9.    In regard to claims 1 and 20, Linton discloses a method and system of obtaining login

data (Col 6, lines 20-24), providing compliance knowledge to a networked computer based upon

the login (Col 6, lines 25-36), providing personalized professional training information based on

the login data (Col 7, lines 35-37 and Col 10, lines 10-34), and generating compliance

knowledge, personal training activity and tracking this information (Col 10, lines 10-62).

10.    In regard to claims 2 and 21,  Linton discloses a system in which training progress and

activity data are generated and stored on the database server (Col 10, lines 10-34).

11.     In regard to claims 3 and 22, Linton discloses a system and method wherein compliance knowledge, training progress and training performance data are all stored on an individual login basis (Col 3, lines 28-42).

12.     In regard to claims 4 and 23, Linton discloses that all data generated and received by the system is stored on a database server (Col 9, lines 9-10).

13.     In regard to claims 5 and 24, Linton discloses a system and method that generates administrative reports that contain compliance knowledge, training progress and training performance data (Col 9, lines 37-40).

14.     In regard to claims 6 and 25, Linton discloses a system and method that generates administrative reports in accordance with administrator instructions (Col 9, lines 40-51).

15.     In regard to claims 7-8 and 26-27, Linton discloses that the generated documents are stored on a database server (Col 9, lines 66-67).

16.     In regard to claims 9-11 and 28-30, Linton discloses that the system and method manages several types of knowledge, links these knowledge areas to one another, and includes descriptive text as an integral feature of the knowledge areas (Col 7, lines 18-58).

17.     In regard to claims 12-13 and 31-32, Linton discloses that the system and method manages a plurality of knowledge types containing, embedded within, links to other data across the network (Col 7, lines 50-58).

18.     In regard to claim 14 and 33, Linton discloses a system and method that enables communication between one or more users (Col 10, lines 35-46).

19.     In regard to claim 15 and 34, Linton discloses a system and method that provides reference compliance knowledge based upon a login (Col 8, lines 65-66).

20.     In regard to claims 16-19 and 35-38, Linton discloses a system and method for

administering and tracking compliance knowledge data based upon individual login accounts, the

creation and tracking of user profile information, providing notification for compliance of users,

and distributing this information to qualified administrators (Col 10, lines 2-62).

21.     In regard to claim 39, Linton discloses a computer system and server coupled to the

network for obtaining login data (Col 5, lines 35-65), providing compliance knowledge to a

networked computer based upon the login (Col 6, lines 25-36), providing personalized

professional training information based on the login data (Col 7, lines 35-37 and Col 10, lines

10-34), and generating compliance knowledge, personal training activity and tracking this

information (Col 10, lines 10-62).

22.     In regard to claim 40, Linton discloses that training progress and activity data are

generated and stored on the database server (Col 10, lines 10-34).

23.     In regard to claim 41, Linton discloses a server wherein compliance knowledge, training

progress and training performance data are all stored on an individual login basis (Col 6, lines

21-36).

24.     In regard to claim 42, Linton discloses that all data generated and received by the system

is stored on a database server coupled to the network (Col 9, lines 9-10).

25.     In regard to claim 43, Linton discloses a system and method that generates administrative

reports that contain compliance knowledge, training progress and training performance data (Col

9, lines 37-65).

26.     In regard to claim 44, Linton discloses a computer system that generates administrative

reports in accordance with administrator instructions (Col 2, lines 45-49 and Col 9, lines 40-51).

27.     In regard to claim 45, Linton discloses that the generated documents are stored and

updated on a database server (Col 9, lines 37-40 and Col 11, lines 1-12).

28.     In regard to claim 46, Linton discloses a computer system for providing administration

instructions (Col 10, lines 35-62)

29.     In regard to claims 47-48, Linton discloses that the system manages several types of

knowledge, links these knowledge areas to one another, and includes descriptive text as an

integral feature of the knowledge areas (Col 7, lines 18-58).

30.     In regard to claims 49-50, Linton discloses that the system manages a plurality of

knowledge types containing, embedded within, links to other data across the network (Col 7,

lines 50-58).

31.     In regard to claim 51, Linton discloses a computer system with communication links

stored within stored professional training information (Col 7, lines 44-58).

32.     In regard to claim 52, Linton discloses a computer system that enables communication

between one or more users (Col 10, lines 35-46).

33.     In regard to claim 53, Linton discloses a computer system that provides reference

compliance knowledge based upon a login (Col 8, lines 65-66).

34.     In regard to claims 54-57, Linton discloses a computer system for administering and

tracking compliance knowledge data based upon individual login accounts, the creation and

tracking of user profile information, providing notification for compliance of users, and

distributing this information to qualified administrators (Col 10, lines 2-62).

## *Conclusion*

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Hollingsworth (US Patent 6,157,808) discusses a computer system and method for professional certification and training management.

George et al (US Patent 5,978,648) discusses a networked training system that utilizes login data to provide targeted information to users of the system.

Shoham (US Patent 5,855,015) discusses a system and method of retrieval for hyperlinked training information and the management of training systems across the web.

Walton (US Patent 6,073,841) discusses a system for tracking and management of continuing education data for educational users.

Maloney et al (US Patent 5,696,811) discusses a method and system for providing performance and training feedback information for call center agents.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John L Sotomayor whose telephone number is 703-305-4558. The examiner can normally be reached on 7:30-4:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jessica Harrison can be reached on 703-308-2217. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-7768 for regular communications and 703-308-7768 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-4119.

jls
April 12, 2002

JESSICA HARRISON
PRIMARY EXAMINER